

Amendment

Reply to Office Action dated September 28, 2009

REMARKS

The foregoing amendments and these remarks are in response to the Office Action dated September 28, 2010. Applicant requests a three month extension of time, and authorization is given to charge the appropriate fees to Deposit Account No. 50-0951.

At the time of the Office Action, claims 1-10 were pending in the application. Claims 6-10 were withdrawn from consideration, and are cancelled herein in favor of a divisional application. In the Office Action, objections were raised to the drawings. Claims 1 and 3 were rejected under 35 U.S.C. §102(b), and claims 2, 4 and 5 were rejected under 35 U.S.C. §103(a). The objections and rejections are discussed in more detail below.

I. Objections to the Drawings

The drawings were objected to under 37 CFR §1.84(p)(5) because they include reference character "P" which is not mentioned in the description. Applicant has amended the specification accordingly to include reference character "P", and withdrawal of this objection is therefore respectfully requested.

II. Rejections based upon Art

Claims 1 and 3 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,532,155 to Golant (hereafter "*Golant*"). Claim 2 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Golant* in view of U.S. Patent No. 2,648,609 to Wurster. Claim 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over *Golant* in view of U.S. Patent No. 2,561,392 to Marshall.

Applicant respectfully requests reconsideration of these rejections. The process of claim 1 clearly provides for a flow of fluidization air which is used for forming a fluid bed and, at the same time, at least a portion thereof is used for inducing the formation of a circulatory movement of the granules contained in the fluid bed and for maintaining this circulatory movement. Furthermore, in claim 1 it is stated that this same flow of fluidization air is divided into a plurality of fractions having respective flow rates ranging from a minimum flow rate sufficient to support the fluid bed, to a maximum flow rate capable of inducing and maintaining the circulatory movement of the granules. It is thus clear that all fractions of the same flow of fluidization air have the function of supporting the fluid bed, while some of them also serve to induce and maintain the circulatory

movement of the granules. Moreover, claim 1 clearly specifies that the circulatory movement of the granules, which is substantially vortex shaped, has a horizontal axis.

Contrary to what stated in the Office Action, none of the above features is disclosed or suggested by *Golant*. Indeed, as is clear and unambiguous from *Golant*, the process of the prior art makes use of two distinct gas flows. A first gas flow introduced from the bottom end 18 of the apparatus 1 through blower 24 to form a fluid bed in the chamber 19 and a second separate gas flow introduced through openings 34 in the side wall of apparatus 1 to make the bed move in the chamber 19 in counterclockwise direction. See for instance *Golant*, column 2, lines 31-32 and 36-37, column 3, lines 33-35 and 56-61, column 4, lines 15-17, column 5, lines 12-13,

In *Golant*, it is merely stated that air can be used both for the first as for the second gas flow (column 5, lines 32-33), however no mention is made in this document of a single flow of air, which can be used for forming the fluid bed and at the same for rotating the bed. The single source of air referred to in *Golant* at column 5, lines 28-30 is merely and solely related to the second flow of air, which is fed through the side wall of the apparatus 1 by means of a plurality of hoses 36. This single source of air is on the contrary not referred to the first flow of air. Therefore from the disclosure and teaching of *Golant*, it results that the circulatory movement of the granules is caused by a flow of air that is not that same flow of air which is used to form the fluid bed. In other words, according to *Golant* the circulatory movement of the granules is not induced and maintained by at least a portion of the flow of fluidization air that is used for forming the fluid bed, as it is instead required by the claimed process.

From column 2, lines 37-39 and column 4, lines 8-12 and figures 3-4, it is clear that according to *Golant* the openings 34, through which the second flow of air is fed for inducing the rotary movement of the granules, are positioned horizontally with respect to the side wall. However, this should not be confused with a horizontal axis of the moving granules. Indeed from the structure of the apparatus 1, the granules in *Golant* can only rotate according to a vertical axis due to the action of the second air flow that is fed horizontally and tangentially with respect to the bed. From figures 1 and 4 or 2 and 4, it is clear that when in operation the granules move along the circumference of the side wall thus forming a vortex effect having an axis which corresponds to the axis of the apparatus 1, i.e. a vertical axis. This is the exact opposite of the claimed process, wherein the rotation of the granules takes place along a horizontal axis.

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From the above, it follows that the claimed features of dividing the single flow of fluidization air into a plurality of fractions having different flow rates thus permitting a single flow of air to form the fluid bed and at the same time to induce and maintain the circulatory movement of the granules, are totally ABSENT from *Golant*.

For the foregoing reasons, claim 1 is believed to relate to patentable subject matter, and to be in condition for allowance. The dependent claims are believed allowable because of their dependence upon an allowable base claim, and because of the further features recited.

III. Conclusion

Applicant has made every effort to present claims which distinguish over the prior art, and it is thus believed that all claims are in condition for allowance. Nevertheless, Applicant invites the Examiner to call the undersigned if it is believed that a telephonic interview would expedite the prosecution of the application to an allowance. In view of the foregoing remarks, Applicant respectfully requests reconsideration and prompt allowance of the pending claims.

Respectfully submitted,

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Mark D. Passler

Registration No. 40,764

Sarah E. Smith

Registration No. 50,488

AKERMAN SENTERFITT

Post Office Box 3188

West Palm Beach, FL 33402-3188

Telephone: (561) 653-5000